

Theology vol 124.
THE

UNREASONABLENESS
Of REPEALING the
CORPORATION
AND
TEST ACTS
DEMONSTRATED.

In ANSWER to a late
P A M P H L E T,
ENTITLED,

*The Reasonableness of applying for the
Repeal or Explanation of the Corpo-
ration and Test Acts, impartially
consider'd.*

L O N D O N:

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THE

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OF THE

CORPORATION

AND

TELEGRAPH



DEMOCRATIC

IN AMERICA

P. A. M. P. H. E. T.

THE

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and highest quality goods.



(2)

THE
UNREASONABLENESS
OF
REPEALING, &c.



Of repeating the same things
over and over there is no
End.

This Writer sets out
with the *usual* Complaint -- " That
" it is surprising, that the Mischiefs
" of hurting Men in their *Civil Rights*,
" purely on the account and for the
" sake of their *Religious Opinions*,
" should not be seen and openly ac-
knowledg'd

“ knowledg’d by all.” *Reasonableness of applying, &c.* p. 4.

It would indeed be surprising, if any one Writer, on the other Side, had ever asserted --- “ That he did not
 “ see the Mischiefs of hurting Men
 “ in their *Civil Rights*, purely on the
 “ account and for the sake of their
 “ *Religious Opinions*.” On the contrary, it has been constantly acknowledged --- “ That no Man ought to
 “ be hurt in his *Civil Rights*, purely
 “ on account and for the sake of his
 “ *Religious Opinions*.

Those Writers, who maintain, that it is not reasonable these *Acts* should be repeal’d, have undertaken to prove these two Things.

1. “ That the Continuance of these
 “ two incapacitating Laws is not injuring
 “ *Dissenters* in their *Civil Rights*.
 And 2. “ That the Reason of continuing these Laws is purely on
 “ account and for the sake of the *Peace*
 “ and *Safety* of the Community, without
 “ out

“ out the least Intention of hurting
 “ *Dissenters* on account of their *Re-*
 “ *ligious Opinions.*

That *Dissenters* are not *injur'd* in their *Civil Rights* by these Laws is plain from hence --- That no Man can be said to be *injur'd*, unless something be taken from him, or some Penalty inflicted on him, which the Community had no Right to take from him, or no Right to inflict. It is confessed, that *Dissenters* by these Laws are deprived or abridged of some *Civil Rights*. But it does not follow from hence, that they are *injur'd* in their *Civil Rights*. For if it be true what this Writer acknowledges, tho' others have most *absurdly* deny'd it --- “ That
 “ Society and Government is founded
 “ in an *Abridgment of Natural Rights,*”
 p. 32. this necessarily supposes, that Men may be depriv'd or abridg'd of *some natural Rights*, without suffering any *Injury*.

The Question then is --- “ In an
 “ Abridgment of what *Natural Rights*
 “ is Government founded? ” To which
 this Writer returns this plain and just
 Answer --- “ It is not founded in the
 “ Abridgment of *all* and *every natu-*
 “ *ral Right* ; but only of *such*, as con-
 “ cern Men’s Liberty and Property,
 “ or the Things of this Life.” *p. 33.*

This is putting this Controversy up-
 on the only true and just Foot, and
 brings it to this short Issue and De-
 termination --- Whether the depriving
 or abridging Men of *Civil Offices* be
 one of those *Natural Rights*, which
 concern their Liberty and Property,
 or the Things of this Life? --- Or,
 whether it be one of those *Natural*
Rights, which concern *Religious Opi-*
nions, or the Things of another Life?

This Writer will agree with me---
 That the only *Natural Right*, which
 immediately and directly concerns
Religious Opinions, is this----That e-
 very Man be permitted to worship
 God

God in that Way, which he thinks most acceptable to Him; or, which is included in it, that no Man be compell'd to join in any Form of Worship, or to give his Assent to any Confession or Form of Faith, which he does not approve of.

He will not pretend---That *Dissenters* are depriv'd or abridg'd in this *Natural Right*, so far, as not to be permitted to worship God in their own Way; but he would endeavour to prove---That the depriving or abridging *Dissenters* in this *Natural Right to Civil Offices* is, in effect, to abridge them in that *Natural Right* to worship God in their own Way; for this Reason---That they are abridg'd in this *Natural Right to Civil Offices*, purely on the account and for the sake of their *Religious Opinions*, or their not joining in the Worship of God as establish'd in the *National Church*.

This is easily said, and repeated over and over. But what Proof does this Writer bring of this? Not one Word. Do either of these incapacitating Laws, or any other Law, declare--- That *Dissenters* are excluded from *Civil Offices*, purely on account and for the sake of their *Religious Opinions*? Nothing like it. The Law, and the Intent of the Law, is only to declare --- Who are *proper* Persons to be admitted into *Civil Offices*.

Hence arises this Question--- Whether the Legislature in every Community have a Power to appoint *what* Persons are fit and proper to be admitted into *Civil Offices*? To avoid the Force of which Question, some Writers in this Controversy have most *absurdly* maintain'd---“ That
 “ Society and Government is not
 “ founded in the *Abridgment* of any
 “ of those *Natural Rights*, which
 “ Men enjoy'd in a State of Nature,
 “ before

“ before their entering into Society.”

But this Writer acknowledges-----

“ That Society and Government is

“ founded in an *Abridgment* of *Na-*

“ *tural Rights*.” If this be true,

the necessary Consequence is--- That

every Government must be the sole,

proper, and absolute Judge, *what*

Natural Rights may and ought to

be abridg'd, for the Peace and Safe-

ty of the Community; provided

those *Natural Rights* are purely and

merely Civil Rights, such as imme-

diately and directly concern Men's

Liberty and Property, or the Things

of this Life.

But I suppose this Writer will say

----- That there is no Occasion to

prove, that *Dissenters* are excluded

Civil Offices, purely on account and

for the sake of their *Religious Opi-*

nions; because, if they were not

Dissenters, they would not be exclu-

ded.

It is very true--- That, if they

were not *Dissenters*, they would not

be excluded. But this does not prove—" That they are excluded, " purely as being *Dissenters*, or " purely on account or for the sake " of their *Religious Opinions*." They are excluded, purely on account and for the sake of the *Peace* and *Safety* of the Community, as not being Members of the *National Church*. The Law does not concern itself, or make an Enquiry into their *Religious Opinions*.

And if Men had *no Religious Opinions*, if they join'd in *Communion* with no *Dissenting* Sect or Party of Christians, the Law concerns not itself with these Things, but only declares—That, if they are not Members of the *establish'd Church*, they shall be excluded *Civil Offices*.

This sufficiently proves the Absurdity of all that this Writer has said of " *Dissenters* being hurt in their " *Civil Rights*, purely on account " and for the sake of their *Religious Opinions*;" and that the *Reasonableness*

sonableness of Repealing these incapacitating Laws, does not in the least appear from any thing he has said or advanc'd on this Head.

His next Argument to prove the *Reasonableness* of Repealing these Laws is drawn from the " Mischiefs, " which *Penal Laws* have always " caus'd to the Commonwealth "— Such as, " Alienation of Affections, " Disunion of Interests, Desertion of " Men's native Country, Loss of Manufactures, Loss of Hands, and all " the Evils that attend the weakning " of a Society." p. 5.

That *Penal Laws*, properly so call'd, that is, Laws which inflict Penalties on Men, purely on account and for the sake of their *Religious Sentiments*, and to *compel* them to *Conformity* to the *National Church*— That such Laws as these, in every Age and Country, have and always will be attended with these dismal Effects, is very certain.

But

But, surely, there cannot possibly be a more false and ridiculous Assertion than this—" That the Exclusion of *Dissenters* from *Civil Offices* has been the Occasion of Numbers of them leaving their native Country, the Loss of Manufactures, the Loss of Hands, and all the Evils that attend the weakning of Society."

Another Argument for the *Reasonableness* of the Repeal of these *Acts* is—" That, in proportion to the Liberty granted to *Dissenters*, real Advantages and good Effects have arisen ; and consequently that a greater Degree of Liberty would produce more good Effects." p. 6.

The good Effects said to be produc'd by the Liberty already granted are—" That the *Dissenters* have not gain'd Ground on the *Church*, since Liberty has been indulg'd unto them. There is now scarce one *English Peer* amongst them, and their *Gentry* is not at all superior

“rior in Numbers to what it was
 “before the *Revolution*. Liberty
 “has very much conciliated the
 “Minds of *Churchmen* and *Dissen-*
 “*ters*, and the Consequence has been
 “Peace and good Nature to a very
 “great Degree.” p. 7, 8.

These are the good Effects, which
 the Liberty already granted is said to
 have produced. “And were this
 “Liberty, which is now the Sub-
 “ject of Debate, granted to them, it
 “must be a sure Foundation for Peace
 “and Unanimity, and all the Bles-
 “sings of Concord and Harmony.”

p. 8. These would be glorious Days
 indeed. And could I believe — That
 this would be the Result of repealing
 these *Acts*; I would say with this
 Writer — “Blessed be they, who con-
 “tribute to so good a Work.

But, alas! “How little must this
 “Writer (to borrow his own Expres-
 “sions) have observ’d human Nature,
 “and be acquainted with the Histo-
 “ries of past Times.” — Who can
 promise

promise himself this Peace and Unanimity and Concord and Harmony among Men, who think it a *Sin* or a *Reproach* to join in the same *Publick Worship*.

“ That the Number of *Dissenters* is greatly lessen’d, since the *Toleration* granted them” — I readily acknowledge: I likewise agree with him, — “ That the Minds of *Churchmen* and *Dissenters* are very much conciliated since the *Revolution*.” But to *what* Causes are these Things owing? To that *Liberty alone*, that has been granted them? This I deny. I allow it to be in a good measure the Cause, but not the *sole* or *principal* Cause.

Men are come to a *better* and *juster* Sense of — what is *true Religion*. That it does not consist in that *Canting*, and *Whining*, and *Formality*, which were formerly the *Bands* of *Separation*, and in which Religion was made chiefly to consist, among all Sects and Parties of *Dissenters*.

All

All this is now laid aside by the whole Body of *Dissenters*, excepting the *Quakers*. And I may venture to say, that, were it laid aside by that Sect, we should see their Numbers lessen and crumble away almost every Day.

It is no wonder then to see Men prefer a *well-digested Form* of Prayer, before the *crude, indecent*, if not oftentimes, *sinful extemporary Prayers* rashly offered up to the supreme Being.

To this Cause of Men's having attain'd *juster* Notions of *true Religion*, is chiefly owing the great Decrease, especially among the *Nobility* and *Gentry*, of *Dissenters* in this Kingdom.

But farther. It is by no means a just and necessary Consequence, in the Sense that this Writer would understand it — “ That the greater
 “ Degree of Liberty is granted to
 “ *Dissenters*, the more good Effects
 “ it will produce, particularly in
 C “ bringing

“ bringing them to conform to the
 “ *National Church*.

Indeed, the Persecution of any sort of *Dissenters*, how absurd soever their *religious Sentiments* are, and tho' the *National Religion* be the *true Religion*, unless it be carried on with Fire and Sword, has always been found to increase their Number. Whereas the granting them the free Exercise of their Religion, in a Country, where the *true Religion* has been the *National Religion*, has always brought many of them over to conform to the *National Church*.

But Men are naturally so addicted to *novel* Opinions in Religion, that were once a Law pass'd to put all Sects in Religion upon an *equal* Foot with the Members of the *National Church*, it would be so far from lessening their Number, or bringing them to conform; that it would greatly encrease the Number of *Dissenters* already in this Nation, and be the occasion of *new* Sects perpetually spring-
 ing

ing up amongst us. And so far would it be from producing this good Effect of making *Dissenters* live in greater Peace and Concord with *Churchmen*; that it would have the quite contrary Effect, and put them upon forming and contriving Schemes, how to make their *own* Religion become the *National Religion*.

For supposing all that this Writer says to be true --- “ of *Dissenters* being inviolably attach’d to the present *Royal Family* --- of their not having gain’d Ground on the *Church*, since Liberty has been indulg’d to them --- of Liberty having very much conciliated their Minds --- and of their having no Reason to complain, were this Liberty, which is now the Subject of Debate, granted to them.” —

Does any of this tend in the least to prove, which is the *only* Thing it ought to prove — That the admitting of *Dissenters* into Offices of *Trust* and *Power* would not encourage them to

push at farther Advantages, even to the establishing of their *own* Religion by Law, in Hopes, and with this View, to see it one Day become the established Religion of their Country. —

“ A Case, which one of their Advocates tells us is to be found in the
“ Possibility of Things, however distant from Probability.

Give me leave to say --- They must cease to be *Men* --- they must not be *sincere* in their Religion, not to wish and endeavour to accomplish these Ends, were *Power*, and *Trust*, and *Influence* once lodg'd in their Hands.

I allow what this Writer says to be true, if understood in a right Sense ---

“ That the greater Degree of Liberty
“ is granted to *Dissenters*, the more
“ good Effects it will produce, particularly in bringing them to conform to the *National Church*. ” ---

That is, if *nothing* but *Liberty* were granted them. But when *Power*, and *Trust*, and *Influence* is annex'd to this *Liberty*, the Case is entirely alter'd.

ter'd.

ter'd. And nothing can be more absurd and ridiculous, than to suppose That, if any Sect in Religion have *Power*, and *Trust*, and *Influence* put into their Hands, they should not make Use of it to promote and encourage the *Increase* of their own Sect and Party.

I have now consider'd this Writer's Arguments for the *Reasonableness* of the *Repeal* of the *Corporation* and *Test Acts*, and what would, in his Opinion, be the Consequences or Benefits flowing from it; which I submit to the Judgment of every impartial Man.

The rest of his Discourse consists either in *trifling* Objections to a *Pamphlet*, which he pretends to answer, or in *palpable* Misrepresentations of the Sense of the Author; which deserve no Reply.

There are indeed two *Quotations* brought from Mr. *Locke*, in which this Writer so shamefully misrepresents this

his Meaning, that I cannot pass them over in Silence.

I cannot blame him for representing that *Great Man* as one of his Party. His *Authority* must go a great way towards persuading Mankind—
 “ That *Dissenters* are hurt in their
 “ *Civil Rights*, purely on account
 “ and for the sake of their *religious*
 “ *Opinions*.

But it unfortunately happens for this Writer — That Mr. *Locke*, neither in these Passages he has quoted from his *Letters* to Mr. *Limborch*, nor in any other of his Writings, has said one Word concerning the Right of *Dissenters* to Civil Offices.

His Words to Mr. *Limborch* are --
 “ *Tolerantiam apud nos jam tandem*
 “ *leges stabilitam te ante hæc audiisse*
 “ *nullus dubito. Non ea forsan lati-*
 “ *tudine, qua tu, & tui similes, veri*
 “ *& sine ambitione, vel invidia,*
 “ *Christiani optarent. Sed aliquid*
 “ *est prodire tenus. His initiis jacta,*
 “ *spero, sunt libertatis & pacis fun-*
 “ *damenta,*

“ *damenta ; quibus stabilienda olim*
 “ *erit Christi ecclesia.*”

The Sense of which Passage is very
 justly given us by this Writer —

“ I cannot but observe, that Mr. *Locke*,
 “ at the time when the *Act* of *Tole-*
 “ *ration* pass’d, very justly complain’d,
 “ that it was not of that Latitude and
 “ Extent, which true Christians, such
 “ as had no By-ends to serve, could
 “ wish ; and that it was only a good
 “ Beginning, upon which, some time
 “ or other in After-times, the *Church*
 “ of *Christ* might be established. It
 “ was getting something done, it was
 “ laying the Foundations of Peace
 “ and Liberty.” p. 10.

Has this Passage any Manner of re-
 lation to the *Right* of *Dissenters* to
Civil Offices ? He complains indeed—

“ That the *Toleration* was not of that
 “ Latitude and Extent, which *true*
 “ *Christians* could wish.” Of that
 Latitude and Extent, as to *what* ?
 Men’s *Civil Rights* ? No certainly.
 Their *Religious Rights* only. “ It

“ was

“ was not of that Latitude and Ex-
 “ tent, as *true Christians* could wish.”
 Not, as the *true Friends to Civil Li-*
*ber*ty could wish. “ It was only a
 “ good Beginning, upon which, some
 “ time or other, the *Church of Christ*
 “ might be established.” He does
 not say --- It was only a good Begin-
 ning, upon which, some time or other,
Civil Liberty might be establish’d;
 which he certainly would have said,
 had he had the least *View* to Men’s
Civil Rights.

No-body, who is acquainted with
 Mr. *Locke*’s Writings, need be at a
 Loss to know his Sentiments, as to
 the establishing of *Forms* or *Confes-*
sions of *Faith*. He was entirely a-
 gainst any Thing of this kind being
 requir’d or establish’d by Law. And
 it is to this *alone*, that he refers in
 this Passage.

“ The *Toleration Act*, in his Opini-
 “ on, was not of that Latitude and
 “ Extent, which *true Christians* could
 “ wish.” — Plainly for no other Reason
 than

than this— That it did not, at the same time as it allow'd *Dissenters* the free Exercise of their Religion, set even the *Members* of the *Church of England* at liberty, so as not to be oblig'd to subscribe *Articles* and *Confessions of Faith*.

The *Act of Toleration* was a good Beginning for this to follow after; it was getting something done, and laying the Foundations of Peace and Liberty. But till this was done, that is, till Men were not oblig'd to subscribe *Creeeds* and *Articles*, Peace and Liberty, and the *Church of Christ* could not be said to be establish'd.

This is evidently the Sense of Mr. *Locke* in this Passage; so that the *Comparisons* which this Writer makes between Mr. *Locke* and the Author of the *Pamphlet* he pretends to answer, are very pretty and ingenious, but not one Word to the purpose. p. 11.

That this was Mr. *Locke's* Sense is farther evident from another Passage in his *Letters*, which this Writer very

unluckily produces. I shall refer the Reader to the Passage at large as quoted by them, p. 61.

Mr. *Locke* complains there again —
 “ That the *Act* in general was not of
 “ that Latitude, as a good *Christian*
 “ could wish ” — and instances particularly in what it was not of that Latitude, as it ought to be — “ That
 “ it required a *Confession of Faith*
 “ from the *Quakers*.

And yet this Writer is so weak and imprudent, as to boast here again of the *Authority* of Mr. *Locke* —
 “ That *Dissenters* were
 “ hurt in their *Civil Rights*, by being excluded *Civil Offices* ” —
 When Mr. *Locke* is only complaining of the *Quakers* being hurt in their *Religious Rights*, as being obliged to make a *Confession of Faith*.

This Writer concludes with a Declaration — “ That he will aver and
 “ maintain, that the Concession of
 “ Liberty is the Way to heal all our
 “ Breaches; to bring the *Dissenters*
 “ to

“ to *Conformity*; it is for the Inte-
 “ rest of the Kingdom; it is for the
 “ Interest of the Church it self; it
 “ is the true Means of securing the
 “ Peace of this Country, and the on-
 “ ly one that can establish it for ever.
 “ And blessed be they, that contri-
 “ bute to so good and useful a Work.”

Page 63, 64.

He deserves indeed a *Blessing*, and
 to have his *Statue* erected in every
 Town of *Great Britain*, who can
 propose a Method, that will produce
 these great and glorious Effects.

But he had no Occasion to enume-
 rate here so *many* Benefits; he need
 only have said — “ That the *Repeal*
 “ of these *Acts* would bring the *Dis-*
 “ senters to *Conformity*.” For this
 will certainly include all the *rest*, and
 without *this* the *rest* will never be
 attain’d.

There have been *Numbers* of *State-*
Quacks, who, with different *whole-*
some Severities, have undertaken to
 bring all the People in this Nation

to *one Opinion* in Matters of Religion. But this *Gentleman* is the *first State-Quack*, who pretended to bring the *Dissenters* to *Conformity*, by putting them upon a Level with the Members of the *National Church*.

If putting *Dissenters* upon a Level with *Churchmen* will bring them (as this Writer assures us) to conform to the *National Religion* — Will the *good Man* be so gracious as to tell us, why they do not conform *now* — when their *Conformity* would put them upon a Level with *Churchmen*, and save them the Trouble of applying for the *Repeal* of these *incapacitating Acts*?

And is not their refusing to conform *now*, when it would put them upon a Level with *Churchmen*, an *excellent* Argument that they would conform, if they were put upon the same Foot with *Churchmen*?

And is not that Man an *excellent Advocate* for the *Dissenters*, who tells us — “ That the *true Reason*, why
“ they

“ they do not *conform* now, is not
 “ out of any Regard to *Conscience*
 “ or *Sincerity* in their *Non-Confor-*
 “ *mity*, but only this— That they
 “ are not put upon the *same* Foot
 “ with the *Members* of the *National*
 “ *Church*.”

To conclude. When I saw this
Pamphlet advertis'd for several Days
 and Weeks successively, it rais'd my
 Expectation that the Author would
 have supply'd the *Defects* of those,
 that had gone before him. And I
 was confirm'd in this, when, upon
 casting my Eye over his Book, I
 found he was not under the same ter-
 rible *Panic* with some other wise
 and judicious Advocates for the *Dis-*
senters— “ Of our Eyes being put
 “ out, our Strength being gone, the
 “ *Philistines* being immediately up-
 “ on us, and doing with us what-
 “ ever they pleas'd”—if he ac-
 knowledg'd Government to be found-
 ed upon the *Surrender of Natural*
Rights.

But,

But, to my great Surprize and Dis-
 appointment, I found he wholly de-
 clin'd entering at all into the *Questi-*
on—“ What *Right Dissenters* have
 “ to be put upon a *Level* with the
 “ *Members of the National Church?*”
 And only talk'd, “ of what good
 “ *Effects* the *Toleration Act* had pro-
 “ duc'd, and the *farther good Ef-*
 “ *fects* it would produce, if extend-
 “ ed to that Latitude, as it *ought* to
 “ be”—“ That the *Dissenters* were
 “ only a Poor distress'd Body of
 “ Men, *no Nobility*, and *few Gentry*
 “ amongst them; and that he would
 “ engage, they should all *conform*
 “ immediately, if the *Corporation*
 “ and *Test-Acts* were repeal'd; and
 “ therefore *Churchmen* were an *Un-*
 “ *reasonable Set* of Men, if they
 “ would not consent to it; for tho'
 “ he was sure, that the *Dissenters*
 “ would all *immediately* come to
 “ *Church*, if this were *done* for them;
 “ yet they were resolved not to *come*
 “ at all, unless the *Corporation* and
 “ *Test-*

“ *Test-Acts* were Repeal’d in the *first*
“ *place.*”

“ This, (says he) is the *Scheme*,
“ which I had to propose, for the In-
“ terest of the Kingdom, for the In-
“ terest of the Church, and for the
“ Peace of this Country— And blef-
“ sed be they, that contribute to so
“ good and useful a Work.”

F I N I S.



(31)

Test-Act were Repealed in the first

“ This (says he) is the Reason

“ which I have opposed for the In-

“ terest of the Church, and for the In-

“ terest of the Country. And that

“ led be the

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